

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION--DIVISION OF WATER QUALITY  
MAY 15, 2006**

**ITEM # 6**

**SUBJECT**

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COAST REGION (BASIN PLAN) INCORPORATING NON-REGULATORY REVISIONS

**DISCUSSION**

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted an updated Basin Plan on February 11, 1994 under Resolution No. 94-44. The adopted Basin Plan was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.

The Central Coast Water Board adopted a general waiver of waste discharge requirements for both petroleum impacted soil waste piles on oil field properties and reuse of crude oil impacted soil and non-hazardous sandblasting aggregate at oil field properties on September 9, 2005.

This general waiver replaces an outdated waiver for the reuse of oil field waste materials adopted into the Central Coast Region's Basin Plan. This previous Basin Plan waiver expired ~~in 1999~~ when Senate Bill 390 (Chapter 686 Statutes of 1999) amended the Water Code in 1999, section 13269 to require that all existing waivers of discharge requirements expire on January 1, 20003, unless reissued. The Central Coast Water Board did not reissue this waiver, and therefore it expired on January 1, 20003. Consequently, on September 9, 2005 the Central Coast Water Board adopted non-regulatory revisions to the Basin Plan under Resolution No. 2005-0013 ([Attachment](#)) to repeal the reuse policy for oil field waste materials throughout the region. The amendment repeals the waiver in order to bring the Basin Plan into compliance with current law.

**POLICY ISSUE**

Should the State Water Board approve the amendment to the Basin Plan in accordance with the staff recommendations below?

**FISCAL IMPACT**

The Central Coast Water Board and the State Water Board staff work associated with or resulting from this action can be accomplished within budgeted resources.

**REGIONAL WATER BOARD IMPACT**

Yes, Central Coast Water Board.

## **STAFF RECOMMENDATION**

That the State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2005-0013.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2005-0013 to OAL for concurrence on its non-regulatory status and to the U.S. Environmental Protection Agency for informational purposes.

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2006-**

**APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN  
FOR THE CENTRAL COAST REGION (BASIN PLAN)  
INCORPORATING NON-REGULATORY REVISIONS**

**WHEREAS:**

1. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted an updated Basin Plan on February 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on May 18, 1994 and by the Office of Administrative Law (OAL) on September 7, 1994.
2. In 1999, Senate Bill 390 (Chapter 686, Statutes of 1999) amended the Water Code, section 13269, to require all waivers of waste discharge requirements to expire on January 1, 2009<sup>03</sup> unless reissued.
3. On September 9, 2005, the Central Coast Water Board adopted a general waiver of waste discharge requirements for petroleum impacted soil waste piles on oil field properties and reuse of crude oil impacted soil and non-hazardous sandblasting aggregate at oil field properties.
4. On September 9, 2005, the Central Coast Water Board adopted Resolution No. R3-2005-0013 (Attachment) incorporating non-regulatory revisions to the Basin Plan. The amendment imposes no new regulatory requirements. The changes are intended solely to bring the Basin Plan into compliance with current law.
5. Central Coast Water Board staff prepared documents and followed procedures satisfying State laws and regulations.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans.
7. A non-regulatory Basin Plan amendment does not become effective until approved by the State Water Board and until OAL has concurred on its non-regulatory status.

**THEREFORE BE IT RESOLVED THAT:**

**The State Water Board:**

1. Approves the amendment to the Basin Plan adopted under Central Coast Water Board Resolution No. R3-2005-0013.

2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Coast Water Board Resolution No. R3-2005-0013 to OAL for concurrence on its non-regulatory status and to the U.S. Environmental Protection Agency for informational purposes.

**CERTIFICATION**

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 15, 2006.

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Clerk to the Board